

Date: July 12, 2001
Attorney Docket No. 24.0787

On the date stamped hereon, the following was received in the United States Patent Office:

Serial No. 09/033,965
Inventors: Bruno Luong et al.
Title: Method and Apparatus for a 1 of N Signal

- 1) *Petition under 37 CFR 1.182 in Matters Not Otherwise Provided For & duplicate (4 pp.)*
- 2) *Letter Accompanying Petition Under 37 CFR 1.182 in Matters not Otherwise Provided For & duplicate (4 pp.)*
- 3) Authorization to charge Deposit Account

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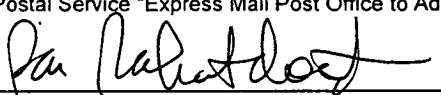
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JUL 20 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Attorney Docket No. 24.0787
Bruno Luong et al.)	
)	
Serial No.: 09/033,965)	Group Art Unit: 2862
)	
Filed: March 3, 1998)	Examiner: L. Arana
)	
Title: Method and Apparatus for a 1 of N)	
Signal)	
)	

"EXPRESS MAIL" Mail Mailing Label: EF 416646844 US
Date of Deposit: JULY 12, 2001
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Pam Rahmatdoost

Box DAC
Assistant Commissioner for Patents
Washington DC 20231

PETITION UNDER 37 CFR 1.182
IN MATTERS NOT OTHERWISE PROVIDED FOR

Sir:

Pursuant to 37 C.F.R. § 1.182, Applicants respectfully petition on a matter not otherwise provided for, specifically that inadvertently filed papers be removed from the file and that the following actions be taken. A letter of explanation accompanies this Petition.

- 1) Withdrawal of the divisional application dated April 24, 2001 that was inadvertently filed under 37 CFR 1.53(d), Continued Prosecution Application (CPA);
- 2) Withdrawal of the *Express Abandonment under 37 CFR 1.138* dated May 24, 2001;
- 3) Issuance of Serial No. 09/033,956 that was allowed on March 7, 2001 with issue fee paid April 24, 2001; and,

- 4) Examination of the divisional application Serial No. 09/864,437 that was filed on May 24, 2001 under 37 CFR 1.53 (b)

With the grant of this Petition, the paperwork on file with the US Patent and Trademark Office will accurately reflect Applicants' intentions with respect to this case: that the parent application Ser. No. 09/033,965 proceed to issuance; and, that the divisional application Ser. No. 09/864,437 properly filed under 37 CFR 1.53(b) , proceed to examination.

Applicants hereby authorize payment of the petition fee of \$130, pursuant by 37 C.F.R. § 1.17(h), as well as other appropriate fees incurred by this Petition from Deposit Account No. 19-0610.

Respectfully submitted,

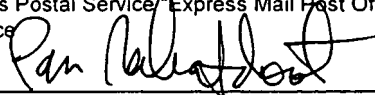
Date: 7/4/01

By: D. Delos Larson
D. Delos Larson
Registration N° 46,118

Schlumberger Technology Corporation
200 Gillingham Lane
Sugar Land, Texas 77478
Tel: (281) 285-8809

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Assistant Commissioner for Patents
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LETTER ACCOMPANYING PETITION UNDER 37 CFR 1.182
IN MATTERS NOT OTHERWISE PROVIDED FOR

Sir:

This chronology of events explains Applicants' actions in this case and provides support for the grant of the attached Petition.

Chronology of Events

03/03/98 Serial No. 09/033,965 filed with USPTO
03/07/01 Notice of Allowance
04/24/01 Issue Fee paid
04/24/01 Applicant mistakenly files divisional application under 37 CFR 1.53(d)
05/23/01 Realizing the mistake, Applicant calls Examiner re: 37 CFR 1.53(d) filing; Examiner refers us to Customer Service/Applications
05/23/01 TC to Customer Service, Mr. Wallace, (703) 308-1202. Mr. Wallace states that a *Notice of Express Abandonment* is an appropriate vehicle to use to withdraw the 37 1.53(d) filing
05/24/01 Applicant files *Notice of Express Abandonment* of 37 CFR 1.53(d) application
05/24/01 Applicant properly files for a divisional application under 37 CFR 1.53(b), now Serial No. 09/864,437
07/09/01 Applicant calls PTO Status to check on issuance of 09/033,965 and is told the file was sent to the Examiner 06/06/01
07/09/01 Applicant calls Examiner and is told the *Notice of Express Abandonment* will in effect also abandon the parent case 09/033,965. Examiner refers Applicant to the Office of

Special Programs (703) 308-7502. After several other calls, including to Fran Hicks of Petitions and Edward Tannouse, office of legal counsel, Applicant speaks with Ed Tannouse who advises Applicant to file the attached *PETITION UNDER 37 CFR 1.182 IN MATTERS NOT OTHERWISE PROVIDED FOR*.

Any fees due in this matter may be charged to the Schlumberger Deposit Account 19-0610.

7/14/01
Date
Schlumberger Technology Corporation
P. O. Box 2175
Houston TX 77252
(281) 285-8809

Respectfully submitted,



D. Delos Larson

Registration No. 46,118